

Monday, December 02, 2013

The following action minutes are listed as they were acted upon by the Subdivision Review Board and as listed on the agenda for the Regular Meeting of 9:00 AM, together with the maps and staff reports attached thereto and incorporated therein by reference.

Hearings are advertised for 9:00 a.m. This time is only an estimate and is not to be considered as time guaranteed. The public and applicants are advised to arrive early.

ROLL CALL:

PRESENT: **Griffin, Kami**
 Carroll, Ellen
 Honeycutt, Frank
 Arlin-Genet, Aeron
 Terry, Leslie

ABSENT: None

This meeting is called to order by Chairperson Kami Griffin.

PUBLIC COMMENT PERIOD

1. Members of the public wishing to address the Board on matters other than scheduled items may do so at this time, when recognized by the Chairman. Presentations are limited to three minutes per individual.

No one coming forward.

CONSENT AGENDA

2. November 4, 2013 SRB Draft Minutes

Consent item a. is approved via voice vote by the County Subdivision Review Board and available on file at the office of the Planning and Building Department.

Motion by: Aeron Arlin-Genet

Second by: Leslie Terry

BOARD MEMBERS	AYES	NOES	ABSTAIN	RECUSE
Griffin, Kami	x			
Carroll, Ellen	x			
Honeycutt, Frank	x			

Arlin-Genet, Aeron	x			
Terry, Leslie	x			

Item #4, **JON STELLA**, was requested to be taken out of order.

HEARINGS

3. A hearing to consider a request by Jon Stella for a Lot Line Adjustment (COAL13-0050) to adjust the lot lines between two (2) parcels of 4,000 square feet and 8,000 square feet each, resulting in two (2) parcels of 4,240 square feet and 7,760 square feet. The adjustment request considers correcting lot lines to meet building setback requirements for one of the parcels. The project will not result in the creation of any additional parcels. The proposed project is within the Residential Single Family and Residential Multi Family land use category and is located at 1120 and 1150 Saint Mary Avenue, in the community of Cayucos. The site is in the Estero planning area. A Class 5 Categorical Exemption was issued on October 3, 2013.

County File No.: SUB2013-00021

Assessor Parcel No.: 064-161-022, 064

Supervisory District: 2

Date accepted: September 27, 2013

Project Manager: Megan Martin

Recommendation: Approval

Megan Martin, Project Manager: presents staff report. Discusses changes to staff report, memo distributed dated November 21, 2013.

Linda Richardson, Agent: states available for any questions.

The Subdivision Review Board notes a Class 5 Categorical Exemption was issued on October 3, 2013 and approves Document Number 2013-010_SRB granting Lot Line Adjustment (SUB2013-00021 / COAL 13-0050) to JON STELLA based on the Findings A. through C. in Exhibit A and subject to the Conditions 1 through 10 in Exhibit B. Also, including the changes to the staff report stated on the memo that was dated November 21, 2013. adopted.

Motion by: Ellen Carroll

Second by: Frank Honeycutt

BOARD MEMBERS	AYES	NOES	ABSTAIN	RECUSE
Griffin, Kami	x			
Carroll, Ellen	x			
Honeycutt, Frank	x			
Arlin-Genet, Aeron	x			
Terry, Leslie	x			

4. Hearing to consider a request by Richard and Maureen Cicchitelli for a Tentative Parcel Map (CO 12-0080) to subdivide an existing 25,430 square foot parcel into two parcels of 13,589 and 11,941 square feet each for the purpose of sale and/or development. The project includes a road exception request for portions of Grell Lane back to Elm Street (the nearest County maintained road). The proposed project is within the Residential Single Family land use category and is located at 2710 Grell Lane, approximately 500 feet west of the Grell Lane/South Elm Street intersection in the community of Oceano. The site is in the San Luis Bay (Inland) planning area. The Environmental Coordinator finds that the previously adopted Mitigated Negative Declaration is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Mitigated Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Mitigated Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Mitigated Negative Declaration was adopted.

County File Number: SUB2012-00080

APN: 062-303-084

Supervisory District: 4

Date Accepted: October 7, 2013

Stephanie Fuhs, Project Manager

Recommendation: Approval

Stephanie Fuhs, Project Manager: presents staff report. Also, reviewing suggested changes: Conditions 9b. adding the word "or"; Condition 11 adding the words "and future" & Condition 18e changing from 3 to 2 parcels. Also, per County Counsel delete Condition 21.

Frank Honeycutt: requests clarification on the proposed change to Condition 9b. Staff reviews the change.

Whitney McDonald, County Counsel: reviews the change to Condition 9b. Discussion ensues. In conclusion, Mr. Honeycutt: suggests striking Condition 9a only.

Aeron Arlin-Genet: requests to add condition with standard language regarding dust and the standard Condition language regarding APCD approved wood burning devices. Kami Griffin states the suggested placement of the new Conditions, under Additional Map Sheet, 18 j - m.

Ellen Carroll: requests clarification on if there are any changes to be made to Condition 9b with Kami Griffin responding.

Kami Griffin: discusses the suggested deletion of Condition 21 and suggests to modify not delete the condition, striking language after "tentative map".

Aeron Arlin-Genet: reaffirms modification to Condition 21.

Michael Dacey, Agent: reviews proposed project and states is available for questions.

Jeff Pienack: requests to view the parcels on the map and discusses history on the property.

Cynthia Valenzuela: reviews additional history of the parcel.

Michael Dacey, Agent: responds to comments from the public.

Whitney McDonald, County Counsel: responds to comments regarding agreement.

Stephanie Fuhs, Project Manager: reviews history on the agreement.

Kami Griffin: states concern and suggests continuation to January.

Frank Honeycutt: suggests alternative to continuation.

Aeron Arlin-Genet: states is an agreement with Kami Griffin and Continuing this proposed project.

Frank Honeycutt: requests all suggested changes to be brought back in final form at the Continued hearing.

The Subdivision Review Board Continues the request by RICHARD AND MAUREEN CICCHITELLI for a Tentative Parcel Map (SUB2012-00031/CO 12-0080) to the next meeting on January 6, 2014. Also, including the changes to Conditions; Deleting 9a, revising 11 to read "11. All existing and future overhead electric power, telephone and cable television transmission and distribution lines fronting or contained within the project boundary shall be relocated underground [Section 21.03.10(h)] and the pole removed.", 18e to read " e. Prior to issuance of construction permits, the applicant shall submit a Phase II archaeological investigation conducted by a qualified archaeologist approved by the Environmental Coordinator, that assesses the potential impacts of all ground disturbing activities associated with development of the two parcels (e.g. access roads, driveways, residences, utility trenches). The applicant shall implement the recommendations of the archaeologist, as required by the Environmental Coordinator, including Phase III data recovery sampling as appropriate. This plan shall evaluate and document existing cultural resources and provide mitigation measures for all site disturbance and grading associated with the development.", adding new Conditions 18j - 18l under the heading " Air Quality, Condition 18j. During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction. 1. Reducing the amount of disturbed area when possible. 2. Using water trucks and sprinkler systems to prevent dust from leaving the site. 3. Dirt stockpiles sprayed daily and as needed. 4. Driveways and sidewalks paved as soon as possible., 18k. Developmental burning of vegetative material within San Luis Obispo County is prohibited. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. Any such exception must complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and issuance of a burn permit by the APCD and the local fire department authority. As a part of APCD approval, the applicant shall furnish them with the study of technical feasibility (which includes costs and other constraints) at the time of application., 18l. Only the following types of wood burning devices shall be allowed (based on District Rule 504): a) EPA-Certified Phase II wood burning devices; b) catalytic wood burning

devices emitting less than or equal to 4.1 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; c) non catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; d) pellet-fueled woodheaters; or e) dedicated gas-fired fireplaces. Prior to construction permit issuance, such devices shall be shown on all applicable plans, and installed as approved by the county." and revising Condition 21 to read "All timeframes on approved tentative maps for filling of final parcel map or tract maps are measured from the date the Review Authority approves the tentative map. Final draft of conditions to be made available at the January 6, 2014 hearing.

Motion by: Aeron Arlin-Genet

Second by: Ellen Carroll

BOARD MEMBERS	AYES	NOES	ABSTAIN	RECUSE
Griffin, Kami	x			
Carroll, Ellen	x			
Honeycutt, Frank	x			
Arlin-Genet, Aeron	x			
Terry, Leslie	x			

Whitney McDonald, County Counsel: requests if there additional documentation relevant please send this to Staff.

5. Hearing to consider a request by Buckley-Pacific, LLC for a Tentative Parcel Map (CO 13-0026) to subdivide an existing six acre parcel into four parcels of 1.3, 1.3, 1.6 and 1.9 acres each for the purpose of sale and/or development. The project will result in site disturbance as the parcels are developed. The proposed project is within the Commercial Service land use category and is located at 795 Buckley Road, approximately 0.40 miles west of Highway 227, approximately one mile south of the city limits of San Luis Obispo. The site is in the San Luis Obispo planning area. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on October 24, 2013 for this project. Mitigation measures are proposed to address Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Geology and Soils, Hazards/Hazardous Materials, Noise, and Water and are included as conditions of approval.

County File Number: SUB2013-00043

APN(s): 076-063-003

Supervisory District: 3

Date Accepted: August 12, 2013

Stephanie Fuhs, Project Manager

Recommendation: Approval

Stephanie Fuhs, Project Manager: presents staff report. Discusses recommended Condition changes; revise Condition 1c, Condition 3b, Condition 4, Condition 10 and 12. Also, discusses numbering issue with Condition 17, it is part of Condition 16 under Additional Map Sheet.

Deleting Condition 16i, revising 16l, renumbering and revise condition 20.

Frank Honeycutt: requests revision to the change on Condition 1c. Also, questions if the board can Condition a project to follow City Standards over County Standards.

Aeron Arlin-Genet: Discusses staff's proposed revision to Condition 16j. Suggests to delete Conditions 16 j &k.

Leslie Terry: Requests clarification on Condition 18a with Stephanie Fuhs responding.

Bill Robeson: Planning Staff, also replies to square footage.

Discussion among members.

Whitney McDonald, County Counsel: responds to question from Mr. Honeycutt.

Stephanie Fuhs, staff: reviews staff intent on Condition 1c.

Frank Honeycutt: proposes language to Condition 1c; with Kami Griffin, reading language into record. Frank Honeycutt: suggests alternative language to Cond. 1c, reading suggested language into record. Also, suggests revision to Condition 3b.

Whitney McDonald, County Counsel: requests clarification on Condition 3b with Ms. Griffin responding suggesting language to condition 3b.

Leslie Terry: Requests clarification on the number of bodies allowed on the property with staff responding.

Discussion among members.

Whitney McDonald, County Counsel: suggests revision to allocate number of people allowed.

Carol Florence, Oasis: responds to comments and reviews changes to conditions.

Frank Honeycutt: requests clarification on the fees required by the city with Ms. Florence responding.

Kami Griffin: provides revised language to Conditions 12. Discussion among members regarding language.

Frank Honeycutt: questions if agent is satisfied with the revision to Condition 12 with Ms. Florence responding.

Ellen Carroll: requests clarification on the minimum lot size with Ms. Florence responding.

Aeron Arlin-Genet: requests clarification on number of people for the septic system allowed per parcel with Ms. Florence responding.

Kami Griffin: requests clarification and offers language to revising Condition 17a. Carol Florence, Agent, proposes language.

Discussion on design and language to the condition regarding the septic system and the number of persons allowed per parcel.

Kami Griffin: discusses future owners be noticed of potential use allowed on parcels. Proposes language for condition 18a and states this condition needs to be added to the Additional Map Sheet and Covenants, Conditions and Restrictions.

Carol Florence, agent: supports all condition changes.

Kami Griffin: reviews all condition changes.

The Subdivision Review Board adopts the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq and approves Document Number: 2013-011_SRB granting Tentative Parcel Map (SUB2012-00043/CO 13-0026) to BUCKLEY-PACIFIC, LLC. based on the Findings A. through I. in Exhibit A and subject to the Condition 1 through 19 in Exhibit B. Noting all the changes that were read in the record as followed: Revise language under heading Approved Project to read " A Tentative Parcel Map (CO 13-0026) to subdivide an existing six acre parcel into four parcels of 1.3, 1.3, 1.6 and 1.9 acres each for the purpose of sale and/or development. Based on the Airport Land Use standard for Safety Area S-1b, the minimum building square footage coverage for each lot shall be 3,000 square feet with the maximum building square foot coverage for the entire 4-lot parcel map development shall be no more than 26,572 square feet. Distribution of building lot coverage allotments to individual lot shall be established in the Parcel Map Covenants, Conditions and Restrictions (CC&Rs). The design of the wastewater system provides for a maximum of 30 people (300 gallons per day) over the four parcels. Should the system be designed to allow for additional people, the maximum number of employees will be reviewed at the time of building permits and can be amended accordingly."; Revising Condition 1c to read "Street plan and profile for widening Buckley Road to complete an A-2d urban street section fronting the property."; Revising Condition 3b to read "An offer of dedication along Buckley Road to be described as an additional eight feet from the current edge of right-of-way in order to incorporate improvements as contained in the City of San Luis Obispo's adopted Airport Area Specific Plan."; Condition 4 adding "by Public Works at the end of the sentence; revise Condition 10 to read "At the time of application for construction permits, the applicant shall demonstrate whether the project is subject to LUO Section 22.10.155 for Stormwater Management. Applicable projects shall submit a Stormwater Quality Plan (SWCP) prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Stormwater Quality Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation plan. All drainage must be retained or detained on-site and the design of the basin shall be approved by the Department of Public Works."; revising Condition 12 to "Fees shall be required for City transportation Impact fees which may include: the Citywide transportation fee, Airport Area Specific Plan fees and Los Osos Valley Road interchange fee. for various programs. These programs may include the Buckley Road extension to Higuera, work at the Broad Street/Tank Farm Road and the Los Osos Valley Road interchange location. The City's Airport Area Specific Plan does not include collection of funds for

this section of Buckley Road. These fees will need to be paid at time of building permit issuance but may also be paid prior to map recordation consistent with County policies."; Removing random 17 at top of page 4, revising Condition 16a. to read "The minimum building square footage coverage for each lot shall be 3,000 square feet with the maximum building square foot coverage for the entire 4-lot parcel map development shall be no more than 26,572 square feet. The design of the wastewater system provides for a maximum of 30 people (300 gallons per day) over the four parcels. Should the system be designed to allow for additional people, the maximum number of employees will be reviewed at the time of building permits and can be amended accordingly."; Deleting condition 16j and 16k and re-lettering; revising 16l from Department of Fish and Game (CDFG) to Department of Fish and Wildlife (CDFW); revising Condition 18a to read "The minimum building square footage coverage for each lot shall be 3,000 square feet with the maximum building square foot coverage for the entire 4-lot parcel map development shall be no more than 26,572 square feet. The design of the wastewater system provides for a maximum of 30 people (300 gallons per day) over the four parcels. Should the system be designed to allow for additional people, the maximum number of employees will be reviewed at the time of building permits and can be amended accordingly." and revise language on condition 20 to read "All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map." adopted.

Motion by: Frank Honeycutt

Second by: Ellen Carroll

BOARD MEMBERS	AYES	NOES	ABSTAIN	RECUSE
Griffin, Kami	x			
Carroll, Ellen	x			
Honeycutt, Frank	x			
Arlin-Genet, Aeron	x			
Terry, Leslie	x			

PLANNING STAFF UPDATES

6. This is the time staff provides updates to the Review Authority for items not on the agenda.

None.

ADJOURNMENT

Next Scheduled Meeting: January 6, 2014, in the County Board of Supervisors Chambers, County Government Center, San Luis Obispo, CA.

**Nicole Retana, Secretary
Subdivision Review Board**

Minutes will approved at the January 6, 2014 Subdivision Review Board meeting.